

TOWN BOARD MEETING
WEDNESDAY, DECEMBER 5, 2007; 7:00 P.M.

Hearing no objection, the Town Board of the Town of New Windsor receive and file a License from Town of New Windsor to Department of the Navy for the use of a portion of Reed Street for the purpose of establishing compliance with the Anti-Terrorism Force Protection Standards at Stewart Air Force Base.

#11 On Agenda: Motion - Accept Planning Board Report – Special Use
Permit - Vesely Estates At Stephen's Woods

Motion by Councilwoman Mullarkey, seconded by Councilwoman Weyant that the Town Board of the Town of New Windsor adopt the following resolution:

WHEREAS, an application was made to the Town Board of the Town of New Windsor for a special use permit by Vesely Estates at Stephen's Woods, LLC (the "applicant") for a project described as the "Vesely Estates at Stephen's Woods Senior Housing" development; and

WHEREAS, the subject site consists of 25.73 acres of land and is comprised of one tax map parcel in the Town of New Windsor identified on the tax map as section 32, block 2, and lot 15 (SBL 32-2-15) located on Moores Hill Road; and

WHEREAS, the action involves a request for a special use permit and site plan approval for 10 single family homes, 64 two-story townhouses and 72 apartments to be restricted as senior housing, and related site improvements; and

WHEREAS, the proposed development is subject to the Town of New Windsor Zoning Code § 300-18(J) setting forth the procedures applicable for senior citizen housing special use permits; and

WHEREAS, New York General Municipal Law § 239 requires the referral of both the special use permit and site plan applications to the Orange County Planning Department ("OCPD") for its review and comment; and

WHEREAS, the Town Board referred the application to the Planning Board for its consideration and report pursuant to Zoning Law § 300-18(J)(3); and

WHEREAS, on November 30, 2007, the Planning Board issued its report to the Town Board finding that the site is appropriate for the location of senior housing, and recommending that the Town Board grant the special use permit upon the completion of the Planning Board's SEQRA review; and

WHEREAS, the Town Board wishes to acknowledge receipt of the Planning Board's report, and to take certain procedural steps in connection with the special use permit application;

NOW, THEREFORE, the Town Board resolves as follows:

1. The Town Board acknowledges receipt of the Planning Board's report recommending, subject to certain conditions, that the special use permit be granted; and

2. The Town Board acknowledges and consents to the Planning Board's intent to declare lead agency for SEQRA purposes upon the receipt and review of the site plan application; and

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3. The Town Board acknowledges that New York General Municipal Law § 239 requires the referral of both the special use permit and site plan applications to OCPD for its review and comment, and hereby authorizes a joint coordinated referral to OCPD when, in the Planning Board's determination, the site plan application is complete and ready for referral; and

4. In accordance with the requirements of SEQRA, the Town Board defers further action on the application for a special use permit until the Planning Board completes the coordinated SEQRA review.

Roll Call: All Ayes

Motion Carried 4-0

**#12 On Agenda: Motion - Authorize Supervisor To Execute Agreement –
 Stuart Turner & Associates - Base Reuse Plan (B.R.A.C.)**

Motion by Councilwoman Biasotti, seconded by Councilwoman Weyant that the Town Board of the Town of New Windsor authorize Supervisor to execute an Agreement between the Town of New Windsor and Stuart Turner & Associates for preparation of Base Reuse Plan (B.R.A.C.) for Stewart Army Subpost.

Roll Call: All Ayes

Motion Carried 4-0

#13 On Agenda: Receive And File Permit Bond – O'Donnell Excavating, Corp.

Hearing no objection, the Town Board of the Town of New Windsor receive and file with the Town Clerk a Continuation Certificate for Permit Bond #RSB801247, submitted by O'Donnell Excavating, Corp., in the amount of \$20,000.00, effective December 12, 2007 and expiring December 12, 2008. The purpose of the Permit Bond is to secure a permit from the Town of New Windsor to perform street openings within the Town. Same being referred to the Town Attorney and the Town Highway Superintendent.

**#14 On Agenda: Motion - Adopt Establishment Of Minimum Undertaking
 Requirement For Town Officers And Employees**

Motion by Councilwoman Biasotti, seconded by Councilwoman Weyant that the Town Board of the Town of New Windsor adopt the following resolution: